

REMARKS

The above-identified patent application has been amended and Applicants respectfully request the Examiner to reconsider and again examine the claims as amended in accordance with the provisions of 37 C.F.R. §1.116.

Claims 1-18 are pending in the application. Claims 1-16 are rejected. Claim 1 is amended herein. Claims 17 and 18 are new.

As an initial matter, Applicants would like to thank the Examiner for returning a number of initialed information disclosure forms. However, Applicants cannot identify that a certain signed and initialed information disclosure form (PTO Form SB/08A) has been returned as identified below. Applicants respectfully request that the Examiner consider the art cited in the below-identified information disclosure statement (if not already done) and provide the signed and initialed information disclosure form as indicated.

- 1) PTO form SB/08A submitted with certificate of mailing dated September 20, 2004.

Applicants also note that the Examiner has not indicated approval of an amended drawing earlier submitted on January 8, 2002. Approval of the drawing changes is respectfully requested. The Examiner has also not indicated approval of formal drawings, also filed on January 8, 2002 and having the amendments. Approval of the formal drawings is respectfully requested.

The Rejections under 35 U.S.C. §103(a)

In View of Gauthier et al.

The Examiner rejects Claims 1, 2, 4, 5, 8, 9, 13, and 15 under 35 U.S.C. §103(a) as being unpatentable over Gauthier et al. (U.S. Patent number 5,303,205). The Examiner asserts that Gauthier et al. discloses the claimed side object detection transceiver "...which is met by the ultrasonic transceivers 60 placed alongside of the rear and 'side' of the vehicle..." The Examiner

asserts that "...Gauthier discloses a system that is to be mounted to the vehicle, including all of the necessary components that separate from the vehicle... ." The Examiner concludes that "...it would have been obvious to one of ordinary skill in the art at the time of the invention that the system [of Gauthier] is to be considered as 'portable' such that the system can be retrofitted to any vehicle." The Examiner relies upon *In re Lindberg*, 194 F.2d 732, 93 USPQ 23 (CCPA 1952) as teaching "...that the claimed device is portable or movable is not sufficient by itself to patentably distinguish over an otherwise old device unless there are new or unexpected results."

Applicants have amended Claim 1 herein to recite " ... a side object detection radar transceiver having a plurality of radar beams; and attachment means coupled to the side object detection radar transceiver for portably attaching the side object detection radar transceiver to a vehicle."

Applicants submit that Claim 1 is patentably distinct over Gauthier et al., since the cited reference neither describes nor suggests "... a side object detection radar transceiver having a plurality of radar beams; and attachment means coupled to the side object detection radar transceiver for portably attaching the side object detection radar transceiver to a vehicle," as set forth in Claim 1.

With this particular arrangement, the claimed plurality of radar beams provides an enhanced ability to form predetermined detection zones, for example the detection zone 94 shown in FIG. 4. Furthermore, the claimed "attachment means" allow the radar transceiver to portably attach to a vehicle, for example, with the bracket 88 shown in FIG. 3.

In contrast, Gauthier et al. describes a "...vehicular distance measuring system [including]...a distance measuring device... ." (column 2, lines 54-55) In one particular embodiment, Gauthier et al. describes "[t]he transmitters/receivers emit an ultrasonic acoustic energy wave having a frequency of 40 to 50 kiloHertz... ." (column 5, lines 44-46) One of ordinary skill in the art will understand that an ultrasonic acoustic energy wave having a frequency of 40 to 50 kiloHertz projected from transceivers 60 (Fig. 1) such as found in Gauthier

et al. will be substantially omnidirectional and will not provide beams. In another embodiment, Gauthier et al. describes "... although ultrasonic ranging is described, other ranging systems may be used including radio detection and ranging (radar), infrared and radio transponder systems." (column 10, lines 62-65)

In view of the above, Applicants submit that Claim 1 is patentably distinct over Gauthier et al.

Claims 2, 4, 5, 8, 9, 13, and 15 depend from and thus include the limitations of Claim 1. Thus, Applicants submit that Claims 2, 4, 5, 8, 9, 13, and 15 are patentably distinct over the cited reference at least for the reasons discussed above in conjunction with Claim 1.

Applicants submit that Claim 5 is further patentably distinct over Gauthier et al., since the cited reference neither describes nor suggests "... the side object detection radar transceiver is portably attached to a vehicle window," as set forth in Claim 5.

Applicants submit that Claim 9 is further patentably distinct over Gauthier et al., since the cited reference neither describes nor suggests "... the side object detection radar transceiver is portably mounted to a vehicle window," as set forth in Claim 9.

Gauthier et al. in View of Marcus et al.

The Examiner rejects Claims 3 and 7 under 35 U.S.C. §103(a) as being unpatentable over Gauthier et al. in view of Marcus et al. (U.S. Patent number 6,124,647). The Examiner recognizes that "...Gauthier does not specifically disclose the claimed radar display is portably attached to the interior of a vehicle..." The Examiner asserts that Gauthier et al. "...does disclose a mirror display system 40, on the outside side rearview mirror..." The Examiner relies upon Marcus et al. to teach the claimed radar display portably attached to the interior of a vehicle. The Examiner concludes that "...it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of a radar display attached to the interior of the vehicle, as disclosed by Marcus, with the system of Gauthier..."

Applicants submit that Claim 3 is patentably distinct over Gauthier et al., whether taken alone or in combination with Marcus et al., since the cited reference neither describe nor suggest "... a side object detection radar transceiver having a plurality of radar beams; and attachment means coupled to the side object detection radar transceiver for portably attaching the side object detection radar transceiver to a vehicle... wherein the radar display is portably attached to the interior of the vehicle," as required by Claim 3.

Applicants submit that Claim 7 is patentably distinct over Gauthier et al., whether taken alone or in combination with Marcus et al., since the cited reference neither describe nor suggest "... a side object detection radar transceiver having a plurality of radar beams; and attachment means coupled to the side object detection radar transceiver for portably attaching the side object detection radar transceiver to a vehicle... wherein the side object detection radar transceiver is portably attached to the interior of the vehicle," as required by Claim 7.

With this particular arrangement, for example, "[t]he radar sensors 24, 26 are each portably mounted to the interior surface of the side windows 28, 30." (page 4, lines 14-15) However, "...the radar sensor 64 can be mounted to any window or to any interior or exterior surface of the vehicle, so long as the radiating face 82a is not placed behind a surface through which radar energy cannot propagate effectively." (page 7, line 32 to page 8, line 2)

The Examiner asserts that the Gauthier et al. and Marcus et al. disclose displays inside of a vehicle. However, Applicants submit that Gauthier et al. and Marcus et al. fail to describe or suggest the claimed radar transceiver portably attached to the interior of a vehicle.

Gauthier et al. in View of Schofield et al.

The Examiner rejects Claims 6, 11, 12, 14, and 16 under 35 U.S.C. §103(a) as being unpatentable over Gauthier et al. in view of Schofield et al. (U.S. Patent number 5, 786, 722). With regard to Claims 6, 11, and 12, the Examiner recognizes that "...Gauthier does not specifically disclose the claimed radar display disposed upon the radar transceiver..." The

Examiner asserts that Gauthier et al. "...does disclose a mirror display system 40, on the outside side rearview mirror... ." The Examiner relies upon Schofield et al. to teach the claimed radar display disposed upon the radar transceiver. The Examiner concludes that "...it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of placing the display unit with the side radar monitoring detector, as disclosed by Schofield, with the system of Gauthier... ."

With regard to Claim 14, the Examiner relies upon Gauthier et al. to teach the claimed radar display adapted to be mounted so as to be visible to an occupant of the vehicle in a rear view mirror of the vehicle.

With regard to Claim 16, the Examiner recognizes that "...Gauthier does not specifically disclose the claimed predetermined detection zone to the side of a vehicle is associated with a vehicle blind spot." The Examiner relies upon Schofield et al. to teach the claimed blind spot. The Examiner concludes that "...it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of placing blind spot detectors, as disclosed by Schofield, with the system of Gauthier... ."

Applicants submit that Claims 6, 11, 12, 14, and 16 are patentably distinct over Gauthier et al., whether taken alone or in combination with Schofield et al., since the cited references neither describe nor suggest "... a side object detection radar transceiver having a plurality of radar beams; and attachment means coupled to the side object detection radar transceiver for portably attaching the side object detection radar transceiver to a vehicle," as set forth in Claim 1 and as required by Claims 6, 11, 12, 14, and 16.

Gauthier et al. in View of Schofield et al. and Marcus et al.

The Examiner rejects Claim 10 under 35 U.S.C. §103(a) as being unpatentable over Gauthier et al. in view of Schofield et al. and further in view of Marcus et al. The Examiner recognizes that "...neither Gauthier nor Schofield disclose the claimed radar transceiver is portably attached to the interior of the vehicle." The Examiner asserts that Gauthier et al. "...

discloses a mirror display system 40, on the outside side rearview mirror... ." The Examiner also asserts that "Schofield discloses a vehicle blind spot detection display system that includes a radar-based blind spot detection or ultrasonic detection system located in the side rearview mirrors... ." The Examiner still further asserts that "Marcus discloses an information display located in the interior or exterior of the vehicle... ." The Examiner concludes that "...it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of a radar display attached to the interior of the vehicle, as disclosed by Marcus, with the systems of Gauthier and Schofield"

Applicants submit that Claims 10 is patentably distinct over Gauthier et al., whether taken alone or in combination with Schofield et al. and Marcus et al. since the cited references neither describe nor suggest "... a side object detection radar transceiver having a plurality of radar beams; and attachment means coupled to the side object detection radar transceiver for portably attaching the side object detection radar transceiver to a vehicle...wherein the side object detection radar transceiver is portably attached to the interior of the vehicle," as required by Claim 10.

As described above, with this particular arrangement, for example, "[t]he radar sensors 24, 26 are each portably mounted to the interior surface of the side windows 28, 30." (page 4, lines 14-15) However, "...the radar sensor 64 can be mounted to any window or to any interior or exterior surface of the vehicle, so long as the radiating face 82a is not placed behind a surface through which radar energy cannot propagate effectively." (page 7, line 32 to page 8, line 2)

The Examiner asserts that the Schofield et al. and Marcus et al. disclose displays inside of a vehicle. However, Applicants submit that Gauthier et al., Schofield et al., and Marcus et al. fail to describe or suggest the claimed radar transceiver portably attached to the interior of a vehicle.

In view of the above, Applicants submit that the rejection of Claims 1-16 under 35 U.S.C. §103(a) should be removed.

Claims 17 and 18 are new in the application. Support for new Claim 17 can be found in FIG. 3 and support for new Claim 18 can be found at page 6, lines 13-15. Claims 17 and 18 depend from and thus include the limitations of Claim 1. Thus, Applicants submit that Claims 17 and 18 are allowable over the cited references of record in this case at least for the reasons discussed above in conjunction with Claim 1. Consideration of new Claims 17 and 18 is respectfully requested.

It is submitted that this amendment places the application in condition for allowance or in better form for consideration on appeal, and thus, entry of this amendment is respectfully requested under the provisions of 37 C.F.R. §1.116.

The Examiner is respectfully invited to telephone the undersigning attorney if there are any questions regarding this Amendment or this application.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845, including but not limited to, any charges for extensions of time under 37 C.F.R. §1.136.

Respectfully submitted,

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